

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

HASINA A. MILLER,	:	Case No. 3:20-cv-49
	:	
Plaintiff,	:	Magistrate Judge Sharon L. Ovington
	:	(By full consent of the parties)
vs.	:	
	:	
COMMISSIONER OF THE SOCIAL	:	
SECURITY ADMINISTRATION,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

On February 11, 2020, Plaintiff filed a Complaint in this Court seeking judicial review of a final decision issued by the Commissioner of the Social Security Administration. The Commissioner filed a certified copy of the administrative record on June 9, 2020. On July 10, 2020, Plaintiff's attorney, Robert Raper filed Motion to Withdraw as Attorney. (Doc. No. 9). This Court granted Mr. Raper's Motion on July 13, 2020. (Doc. No. 10).

Plaintiff, proceeding *pro se*, did not file a Statement of Errors as required by the Magistrate Judges' Seventh Amended General Order No. 11. Consequently, the Court Ordered Plaintiff to Show Cause—not later than August 24, 2020—why her Complaint should not be dismissed due to her failure to prosecute and due to her failure to file a Statement of Errors as required by the Magistrate Judges' Seventh Amended General Order No. 11. (Doc. No. 11). The Court also provided Plaintiff with an alternative

opportunity to file a Statement of Errors by August 24, 2020. *Id.* Plaintiff has not responded to the Court's Order to Show Cause.

Plaintiff has engaged in a clear pattern of delay by not filing a Statement of Errors, by not responding to the Order to Show Cause, and by not taking any action in this case since filing her Complaint. The main effect of Plaintiff's failure to comply with the Court's Order to Show cause is that the record is void of an explanation by Plaintiff for her failure to file a Statement of Errors. Absent such an explanation, and in light of the above circumstances, Plaintiff's clear pattern of delay warrants dismissal of this case pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute. *See Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962); *see also Jourdan v. Jabe*, 951 F.2d 108, 110 (6th Cir. 1991); *Harris v. Callwood*, 844 F.2d 1254, 1256 (6th Cir. 1988).

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Complaint is DISMISSED without prejudice pursuant to Fed. R. Civ. P. 41(b); and
2. The case is terminated on the docket of this Court.

September 14, 2020

s/Sharon L. Ovington

Sharon L. Ovington
United States Magistrate Judge